

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

CLIFFORD T. WHITED,	)	
	)	
Plaintiff,	)	
	)	<b>O-R-D-E-R</b>
v.	)	
	)	1:09CV868
MICHAEL J. ASTRUE,	)	
Commissioner of Social Security,	)	
	)	
Defendant.	)	

On August 4, 2010, in accordance with 28 U.S.C. § 636(b), the Recommendation of the United States Magistrate Judge was filed and served on the parties in this action, and a copy was given to the court.

Within the time limitation set forth in the statute, counsel for Plaintiff objected to the Recommendation.

The court has made a de novo determination which is in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's Recommendation.

**IT IS THEREFORE ORDERED** that the Plaintiff's motion for summary judgment seeking a reversal of the Commissioner's decision [Docket No. 7] is **DENIED**, that the Defendant's motion for judgment on the pleadings [Docket No. 9] is **GRANTED**, that the Commissioner's decision finding no disability is **AFFIRMED**, and that this action is dismissed with prejudice. A Judgment

dismissing this action will be entered contemporaneously with this Order.

This the 22nd day of February, 2011.

A handwritten signature in black ink, appearing to be "L. L. S.", is written above a horizontal line.

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UNITED STATES DISTRICT JUDGE